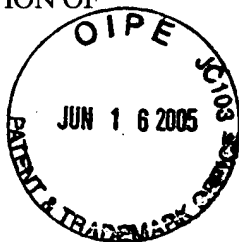


DOCKET NO.: 78870/32932

IF 1632
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : SMITH et al. CONFIRMATION NO.: 5288
FOR : EXPRESSION OF HETEROLOGOUS GENES
ACCORDING TO A TARGETED EXPRESSION
PROFILE
SERIAL NO. : 09/348,469
FILED : July 7, 1999
EXAMINER : Peter Paras, Jr.
ART UNIT : 1632
CUSTOMER NO. : 23380



Cleveland, Ohio 44115-1475
June 13, 2005

**AMENDMENT AND RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Non-Compliant Amendment in the above-identified application is dated June 6, 2005. The one month period for responding to the Notice of Non-Compliant Amendment expires on July 6, 2005.

In response to the Notice of Non-Compliant Amendment dated June 6, 2005, please amend the present application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks begin on page 8 of this paper.

MAIL CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that, on the date shown below, this correspondence (along with any other paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in an envelope addressed to the "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" with sufficient postage as first class mail.

Mary Erne, Jr.

(Typed or Printed Name of Person Mailing Paper)

(Signature of Person Mailing Paper)

DATE: **June 13, 2005**